

Serial No. 10/677,922
Response dated December 19, 2005
Reply to Office Action of August 19, 2005

Attorney Docket No. IS01359ESG

REMARKS/ARGUMENTS

Claims 1 through 14 remain in this application. Claims 1 and 9 have been amended.

Claims 1 through 5, 9 and 12 through 14 are rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,213,078 to Ferrell, et al. ("Ferrell, et al. patent"). Claims 1 through 7 are rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,633,152 to Sharrah, et al. patent ("Sharrah, et al. patent"). Claims 8 is rejected under 35 U.S.C. §103(a) as being unpatentable over the Sharrah, et al. patent in view of the Ferrell, et al. patent. Claims 10 and 11 are rejected under 35 U.S.C. §103(a) as being unpatentable over the Ferrell, et al. patent in view of U.S. Patent No. 4,728,157 to David, Jr. ("David, Jr., patent").

Claims 1 and 9 as amended provide, *inter alia*, a planar member configured for insertion to the rechargeable battery pack in a first linear direction; at least one spring retention post coupled to the planar member configured to receive a spring force of the rechargeable battery pack directed in a second linear direction opposite the first linear direction; and at least one insertion snap coupled to the planar member configured to resist the spring force and maintain the planar member at a particular position relative to the rechargeable battery pack until released therefrom. In contrast, the David, Jr., patent does not describe or suggest an insertion snap coupled to the planar member to receive a spring force in an opposite direction, or an insertion snap coupled to the planar member to resist the spring force from the opposite direction, as required by claims 1 and 9. Likewise, the Ferrell, et al. patent and the Sharrah, et al. patent do not describe or suggest a latch having a planar member that is inserted to another device in a

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linear direction, let alone an insertion snap coupled to the planar member to receive a spring force in an opposite direction, or an insertion snap coupled to the planar member to resist the spring force from the opposite direction, as required by claims 1 and 9. Therefore, claims 1 and 9 distinguish patentably from the Ferrell, et al. patent, the Sharrah, et al. patent, the David, Jr., patent, and any combination of these patents.

Claims 2 through 8 and 10 through 14 depend from and include all limitations of independent claims 1 and 9 as amended. Therefore, claims 2 through 8 and 10 through 14 distinguish patentably from the Ferrell, et al. patent, the Sharrah, et al. patent, the David, Jr., patent, and any combination of these patents for the reasons stated above for claim 1 and 9.

In view of the above, reconsideration and withdrawal of the rejections of claims 1 through 14 are respectfully requested.

CONCLUSION

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. Also, no amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references.

The Commissioner is hereby authorized to deduct any additional fees arising as a result of this response, including any fees for Extensions of Time, or any other communication from or to credit any overpayments to Deposit Account No. 50-2117.


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It is submitted that the claims clearly define the invention, are supported by the specification and drawings, and are in a condition for allowance. Applicants respectfully request that a timely Notice of Allowance be issued in this case. Should the Examiner have any questions or concerns that may expedite prosecution of the present application, the Examiner is encouraged to telephone the undersigned.

Respectfully submitted,
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